



Town of Arlington, Massachusetts
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Selectmen's Agenda 02-12-2007

TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Agenda
 Monday, February 12, 2007
 7:15 p.m.

7:15 p.m.

1. Request: Transfer Wine & Malt Beverages Only License
 Paramveer Corporation d/b/a Punjab Fine Indian Cuisine, Jaspal S. Pabla, President, 473 Mass. Ave., to Param Pabla, Inc.
 d/b/a Rio Brazilian Barbecue, Jaspal S. Pabla, President, 473 Mass. Ave.

APPOINTMENTS & REAPPOINTMENTS

2. Appointment: Explore Burial Spaces
 Fred DeVito
 John Murray
 David Walkinshaw
3. Appointment: State Aid Task Force Committee
 Cindy Friedman
 (tabled from 1/22/07)

7:30 p.m.

4. Request: Beer & Wine Package Store License
 Menotomy Beer & Wine Inc. (Beth Bergstrom, Pres., Tracy Duggan, Clerk) d/b/a Menotomy Beer & Wine Inc.
5. Discussion: Nonbinding Public Opinion Advisory Questions
 John F. Maher, Town Counsel

LICENSES & PERMITS

6. Request: One Day All Alcohol License, 3/10/07 @ St. Camillus Hall
 Fr. Charles Collins, Pastor, St. John the Evangelist Parish
7. Request: Contractor/Drain layer License Renewal 2007
 Clear-Way Sewer & Dr. Service, 821 Strawberry Hill Rd., Concord

8. Request: Drainlayer/Contractor License
Scott Voltz, SKM Construction, Inc., 115 Liberty Rd., Weymouth
9. Request: Residential Handicap Parking @ 13 Fairmont St.
Angela Correia
10. **CITIZENS OPEN FORUM**

Any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

TRAFFIC RULES & ORDERS/OTHER BUSINESS

11. Request: One 15 Minute Parking Sign @ 14 Medford St.
Peter Wong, Beijing Kitchen
12. Request: Memorial to Dr. Otto S. Nau
Kristen Nau
13. Discussion: Arlington Youth Health & Safety Coalition Mission & Vision
Selectmen Diane M. Mahon and Annie LaCourt
14. **WARRANT ARTICLE HEARINGS**
 - Article 3 Appointment of Measures of Wood and Bark
 - Article 4 Election of Assistant Town Moderator
 - Article 11 Bylaw Amendment/Prohibition Against Certain Eminent Domain Takings
 - Article 12 Bylaw Amendment/Property Tax Exemption and Deferral Information
 - Article 14 Bylaw Amendment/Changes to Town Meeting Procedures Committee
 - Article 21 Bylaw Amendment/Code of Conduct Town Meeting
 - Article 24 Home Rule Legislation/All Alcohol Restaurant License
 - Article 25 Home Rule Legislation/Seat Restriction all Alcohol Restaurant License

DRAFTS OF ARTICLES TO BE DISCUSSED

ARTICLE 3 APPOINTMENT OF MEASURERS OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 4 ELECTION OF ASSISTANT TOWN MODERATOR

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11, A, of the Bylaws; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 11 BYLAW AMENDMENT/PROHIBITION AGAINST CERTAIN EMINENT DOMAIN TAKINGS

To see if the town will vote to adopt the following:

The authority of the Town of Arlington and its agencies of local government, as reserved to localities under Chapter 79 of the Massachusetts General Law, to seize privately owned parcels against the expressed will of the owner through the use of eminent domain procedures, shall, in light of Kilo vs. New London, be specifically further limited as follows:

- 1) To only those proposed taking actions incorporating the transfer of private parcel(s) to the Town of Arlington or any of its authorized agencies of local government and under no circumstances to another private party, and;
- 2) To only those proposed taking actions whose purpose is the creation of a facility for actual public use and ownership to include

public open spaces, parks, and watershed protection districts and never for the purposes of economic development or the enhancement of the local tax base.

Nothing in the bylaw shall limit the authority of the Town of Arlington or its authorized agencies of local government to seize property that is endangering the health and safety of its residents or which could otherwise be seized or foreclosed upon for tax delinquency in accordance with the provisions of Chapter 60 of the Massachusetts General Laws; or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 12 BYLAW AMENDMENT/PROPERTY TAX EXEMPTION AND DEFERRAL INFORMATION

To see if the Town will vote to amend the bylaws so as to require the insertion in the envelope of one property tax bill each year written information on the tax exemption and deferrals available to Arlington property taxpayers; or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 14 BYLAW AMENDMENT/CHANGES TO TOWNMEETING PROCEDURES COMMITTEE

To see if the Town will vote to amend Title I, Article 1, Section 8 (Procedures Committee) of the Town Bylaws; or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 21 BYLAW AMENDMENT/SERVICE COUNTING FOR TOWN BENEFITS

To see if the Town will vote to change its bylaws to define service counting for benefits including but not limited to retirement and healthcare or town paid health insurance as requiring service that would be compensated at a rate equal to or exceeding 5,000 dollars per annum.

(Inserted at the request to 10 registered voters)

ARTICLE 24 HOME RULE LEGISLATION/ALL ALCOHOLIC BEVERAGES

To see if the Town will vote to authorize the Board of Selectmen to file Home Rule Legislation that would place on a ballot at a subsequent election a question as to whether the Board of Selectmen would be authorized to issue up to three licenses for the sale of all alcoholic beverages not to be consumed on the premises; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 25 HOME RULE LEGISLATION/SEAT RESTRICTION

ALL ALCOHOL RESTAURANT LICENSE

To see if the Town will vote to do all things necessary and appropriate to reduce the number of seats necessary in order to apply for a permit from the Board of Selectmen for an all alcohol license for restaurants, including without limitation, the filing of a Home Rule petition to accomplish same; or take any action related thereto.

(Inserted at the request of 10 registered voters)

15. Discussion: Field User Fees

Selectman John W. Hurd

Correspondence Received

Ethiopian American Request for support Be Rec'd
955 Mass. Ave.
Cambridge

Jane Lyman Convenience fee Be Rec'd
Comcast

Christine Connolly New Asia food permit revocation Be Rec'd
BOH

Executive Session

Next meeting of BOS Monday, 2/26.